



City Council Agenda

Council President
Henry Perea

Councilmembers

Tom Boyajian
Brian Calhoun
Brad Castillo

Jerry Duncan
Sal Quintero
Daniel Ronquillo, Acting President

City Manager
Daniel G. Hobbs

City Clerk
Rebecca E. Klisch

City Attorney
Hilda Cantú Montoy

TUESDAY, MAY 15, 2001

IF YOU WOULD LIKE TO SPEAK, FILL OUT A SPEAKER REQUEST FORM AVAILABLE FROM THE CITY CLERK'S OFFICE AND IN THE COUNCIL CHAMBERS. THE AGENDA IS AVAILABLE ON (www.ci.fresno.ca.us). THE COUNCIL MEETING CAN ALSO BE HEARD LIVE AT THE SAME WEB SITE ADDRESS.

8:30 A.M. **REGULAR MEETING OF THE REDEVELOPMENT AGENCY**

AGENCY ROLL CALL

Approve Agency minutes of May 8, 2001

Action Taken:

- A. CONTINUED HEARING** to consider the adoption of a resolution of necessity for the acquisition of property at 232 N. Valeria, (APN 459-264-18), owned by Dale and Vangi Kirkpatrick; property at 224 N. Howard (APN 459-264-18), owned by Helen Agajanian and George Noroian Jr.; and property at 236 N. Howard owned by Jane A. Higgins and Henry S. and Dorothy L. Slinkard to complete site assembly for the proposed new Regional Medical Center (*Agency action*)

Action Taken:

- 1. RESOLUTION** - Determining that the public interest and necessity require acquisition of property and authorizing eminent domain proceedings for public use and purpose - Regional Medical Center (*Requires 5 affirmative votes*) (*Agency action*)

Action Taken:

- 2. Appearance** by Dale Kirkpatrick to discuss the updated appraisal on his property, located at 232 N. Valeria (APN 459-264-18)

Action Taken:

AGENCY GENERAL ADMINISTRATION

- B. Receive report on plan for Elm Avenue from Jensen to North Avenue and provide direction to staff regarding Project Improvement and Implementation Program (*Agency action*)
Action Taken:
- C. Receive status report and give direction to retain consultant to development design strategies and financial options regarding the construction of a parking structure at the Convention Center Site to support a 400-room hotel, and other developments within proximity to the Convention Center *Action Taken:*

ADJOURN

9:00 A.M. COUNCIL ROLL CALL

Invocation by Pastor Roger Whitlow of the Valley Christian Center

Pledge of Allegiance to the Flag

Proclamation of "PEACE OFFICERS' MEMORIAL DAY" - All Councilmembers

Proclamation of "CHILDREN'S MUSICAL THEATER WORKS DAY" - Acting President Ronquillo

Proclamation of "SARAH NEBEKER DAY" - Miss Fresno County - Councilmember Duncan

COUNCIL ACTION ON UNSCHEDULED ITEMS, IF ANY, SHALL BE LIMITED TO REFERRING THE ITEM TO STAFF FOR A REPORT AND POSSIBLE SCHEDULING ON A FUTURE COUNCIL AGENDA. FOR EACH MATTER CONSIDERED BY THE COUNCIL, THERE WILL FIRST BE A STAFF PRESENTATION, FOLLOWED BY A PRESENTATION FROM THE PROJECT APPLICANT. TESTIMONY FROM THOSE IN ATTENDANCE WILL THEN BE TAKEN. ALL TESTIMONY GIVEN WILL BE LIMITED TO THREE MINUTES PER PERSON.

THE THREE LIGHTS ON THE PODIUM NEXT TO THE MICROPHONE WILL INDICATE THE AMOUNT OF TIME REMAINING FOR THE SPEAKER. THE GREEN LIGHT WILL BE TURNED ON WHEN THE SPEAKER BEGINS. THE YELLOW LIGHT WILL COME ON WITH ONE MINUTE REMAINING AND ONE TONE WILL SOUND. THE SPEAKER SHOULD BE COMPLETING THE TESTIMONY BY THE TIME THE RED LIGHT COMES ON AND TWO TONES SOUND, INDICATING THAT TIME HAS EXPIRED.

Approve minutes of May 8, 2001

Action Taken:

Approve Agenda

Action Taken:

Adopt Consent Calendar

Action Taken:

****ITEMS SUBJECT TO MAYOR'S VETO OR RECONSIDERATION***

TIME SCHEDULED HEARINGS AND MATTERS

9:45 A.M.#1 HEARING pursuant to Section 6586.5 of the California Government Code to consider approval of the issuance by the Fresno Joint Powers Financing Authority of its Lease Revenue Bonds Series 2001A and Series 2001B in amount not to exceed \$48 million for the purpose of financing a multi-purpose stadium in downtown Fresno and its public benefit to the City

Action Taken:

- a. **RESOLUTION** - Approving the issuance by the Fresno Joint Powers Financing Authority of Lease Revenue Bonds to finance the multi-purpose stadium to be located in Downtown Fresno; authorizing the execution and delivery of a Site Lease, Facility Lease, Bond Purchase Agreement, Official Statement and Continuing Disclosure Certificate; and authorizing execution of documents and the taking of all necessary actions relating to the financing

Action Taken:

- b. * **RESOLUTION** - 140th amendment to AAR No. 2000-183 appropriating \$29,473,000 in bond proceeds to finance the construction of Fresno AAA Multi-purpose Sports Complex Alternative "A", **OR** (*Requires 5 affirmative votes*)

Action Taken:

- c. * **RESOLUTION** - 140th amendment to AAR No. 2000-183 appropriating \$29,985,000 in bond proceeds to finance the construction of Fresno AAA Multi-purpose Sports Complex Alternative "B"

Action Taken:

- d. Award a contract for Fresno AAA Multi-purpose Sports Complex general construction contract **Action Taken:**

9:45 A.M.#2 Allow or disallow claim of inadvertent clerical error in listing subcontractors for the Fresno AAA Multipurpose Sports Complex general construction contract

Action Taken:

10:00 A.M. HEARING to consider Rezoning Application No. R-01-006, and environmental findings, filed by the Roberts Family Trust, for 18.78 acres of property located on the southwest corner of W. Barstow and N. Valentine Avenues (*Property located in District 2*)

Action Taken:

- a. Consider and adopt the Negative Declaration for Environmental Assessment No. R-01-006, dated March 14, 2001

Action Taken:

- b. **BILL** - Amending the Official Zone Map to rezone property from the R-A/UGM zone district to the R-2/UGM zone district (*Planning Commission Recommendation*)

Action Taken:

- c. **BILL** - Amending the Official Zone Map to rezone property from the R-A/UGM zone district to the R-2/UGM zone district (*Staff Recommendation*)

****ITEMS SUBJECT TO MAYOR'S VETO OR RECONSIDERATION***

TIME SCHEDULED HEARINGS AND MATTERS CONTINUED

10:15 A.M. HEARING to consider the adoption of a resolution to vacate a public utility easement in the "O"- "P" alley alignment between Tulare and Kern Streets, Main Street between "O" and "P" Streets, a portion of Kern Street between "O" and "P" Streets, and a public pedestrian easement on Tulare Street between "O" Street and the "O-P" alley alignment

Action Taken:

- a. * **RESOLUTION** - Ordering the vacation of a public utility easement in the "O-P" alley alignment between Tulare and Kern Streets, Main Street between "O and P" Streets, a portion of Kern Street between "O" and "P" Streets, and a public pedestrian easement along Tulare Street between "O" Street and the "O-P" alley alignment

Action Taken:

10:30 A.M. HEARING regarding Fiscal Year 2001 - 2002 proposed budget by Mayor Autry

Action Taken:

- A. **HEARING** regarding Community Development Block Grant (CDBG) funds, HOME Funds and Emergency Shelter Grant (ESG) funds (2001-2002 Annual Action Plan)

Action Taken:

2:00 P.M.

CLOSED SESSION

- A. **CONFERENCE WITH LABOR NEGOTIATOR** - Government Code Section 54957.6

City Negotiator(s): Jorge Aguiniga, Andrew T. Souza and Matthew R. Gargiulo

Employee Organization(s):

1. Fresno City Employees Association (FCEA)
2. Amalgamated Transit Union, Local 1027 (ATU)
3. Fresno Airport Peace Officers/Firefighters Association (FAPOFA)
4. City of Fresno Management Employees Association (CFMEA)
5. City of Fresno Professional Employees Association (CFPEA)
6. Fresno Police Officers Association - Police Management (FPOA)
7. International Brotherhood of Electrical Workers, Local 100 (IBEW)
8. Station Engineers, Local 39 (Local 39)

Action Taken:

- B. **CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION** - Govt. Code Section 54956.9, Subdivision (a)

1. **Case Name:** Gary Dinsdale v. City of Fresno, et al.

Action Taken:

- C. **CONFERENCE WITH LEGAL COUNSEL - DECIDING WHETHER TO INITIATE LITIGATION** - Government Code Section 54956.9, Subdivision (c)

1. **Case Name:** City of Fresno v. City of Clovis, County of Fresno and LAFCO - Council President Perea
2. **Case Name:** City of Fresno, et al. v. U.S. Bureau of Reclamation, et al.

Action Taken:

****ITEMS SUBJECT TO MAYOR'S VETO OR RECONSIDERATION***

TIME SCHEDULED HEARINGS AND MATTERS CONTINUED

2:00 P.M.

CLOSED SESSION CONTINUED

D. CONFERENCE WITH LEGAL COUNSEL - FRIEND-OF-THE-COURT-PARTICIPATION - Government Code Section 54954.2, Subdivision (a)

- 1. Case Name:** Amicus Brief - Amelco Electric v. City of Thousand Oaks
Action Taken:

2:30 P.M.

HEARING to extend interim ordinance prohibiting land entitlements for auto dealerships

Action Taken:

- A. * BILL - (For introduction and adoption)** - Ordinance extending interim urgency Ordinance No. 2001-36, adopted April 3, 2001, prohibiting the approval of land entitlements for automobile dealerships, pending completion and adoption of Zoning Ordinances requiring conditional use permits for all automobile dealerships - City Attorney's Office (*Requires 6 affirmative votes*)
Action Taken:

2:45 P.M. - 6:00 P.M.

CONTINUED BUDGET HEARING

- A.** Convention Center
- B.** Development
- C.** City Clerk
- D.** Parks, Recreation and Community Services
- E.** Airports

Action Taken:

1A.

GENERAL CONSENT CALENDAR

(ALL CONSENT CALENDAR ITEMS ARE CONSIDERED TO BE ROUTINE AND WILL BE ENACTED BY ONE MOTION. THERE WILL BE NO SEPARATE DISCUSSION OF THESE ITEMS UNLESS REQUESTED, IN WHICH EVENT THE ITEM WILL BE REMOVED FROM THE CONSENT CALENDAR AND CONSIDERED IMMEDIATELY FOLLOWING)

- 1.** Award a contract for installation of 12" water main in N. Van Ness Avenue south to W. Sierra Avenue - Dept. of Admin. Services/Purchasing
Action Taken:
- 2.** Award a requirements contract for maintenance of municipal trees - Dept. of Admin. Services/Purchasing
Action Taken:
- 3.** Request for proposal for qualification of contractors for weed abatement and/or public nuisance abatement - Dept. of Admin. Services/Purchasing
Action Taken:

****ITEMS SUBJECT TO MAYOR'S VETO OR RECONSIDERATION***

1A. **GENERAL CONSENT CALENDAR CONTINUED**

4. Authorize the City to arrange for a ten-year financing of (1) trommel screen, (2) radial stacking conveyors, (1) 16-man picking station and (1) wheel loader tractor required to process green waste under the existing master equipment lease-purchase agreement with Pitney Bowes Credit Corporation - Dept. of Public Utilities
Action Taken:
5. Approve the lease of land at "H" and Inyo Streets for stadium construction trailers - Public Works Dept./Engineering Division
Action Taken:

1B. **CONSENT CALENDAR - BILL FOR INTRODUCTION - PINK TABS**

1. * **BILL - (For introduction)** - Amending Subsection (a) of Section 2-1703(a) of the Fresno Municipal Code, relating to the payment of a stipend to the non-employee Retirement Board members - Retirement Division
Action Taken:
 - a. * **BILL - (For introduction)** - Amending Subsection (a) of Section 2-1803 of the Fresno Municipal Code relating to the payment of a stipend to the non-employee Retirement Board member
Action Taken:

2. **PLANNING AND ZONING ADMINISTRATION**

3. **GENERAL ADMINISTRATION**

- A. Report on redistricting process
Action Taken:
 1. * **BILL (For introduction)** - Amending Section 2-207 of the Fresno Municipal Code relating to the criteria to be used to fix district boundaries - City Attorney's Office
Action Taken:
 2. **RESOLUTION** - Relating to the criteria to be used when redetermining Council districts
Action Taken:

4. **CITY ATTORNEY**

5. **CITY COUNCIL**

6. **CITY/COUNTY INTERGOVERNMENTAL RELATIONS**

7. **UNSCHEDULED ORAL COMMUNICATIONS** - You may address the City Council at the conclusion of the Council meeting regarding items that are not listed on the agenda. The policy is to limit your presentation to three (3) minutes pursuant to Ordinance No. 96-67. Please be present at the conclusion of the meeting if you wish to be heard. Anyone wishing to be placed on an agenda for a specified topic should contact the City Clerk Department at least 10 days prior to the desired date of appearance.

****ITEMS SUBJECT TO MAYOR'S VETO OR RECONSIDERATION***

SCHEDULED COUNCIL HEARINGS AND MATTERS

May 22 - 2:00 -5:00 PM CONTINUED BUDGET HEARING

May 22 - 5:00 P.M. HEARING re: Plan Amendment No. P-A-00-19, Rezone Appl. No. R-00-37, filed by Cambridge Homes

May 22 - 5:15 P.M. HEARING re: Tentative Tract Map No. 4868, filed by Granville Homes

May 22 - 5:30 P.M. HEARING re: Tentative Tract Map No. 4911, filed Bonadelle Development Corp.

May 29 - 9:00 A.M - NOON CONTINUED BUDGET HEARING

May 29 - 1:30 P.M. (MEETING ROOM “A”) - Municipal Law Workshop

June 5 - 2:00 -5:00 PM CONTINUED BUDGET HEARING

June 12 - 2:00 -5:00 PM CONTINUED BUDGET HEARING (if needed)

June 26 - 10:00 A.M. HEARING adopting the resolution confirming the diagram and levy of annual assessment for Landscaping and Lighting Maintenance District No. 1 (LLMD No. 1)

July 17 - 5:30 P.M. HEARING re: Conditional Use Permit No. C-00-232, filed by Consolidated Industries, Inc., property located at 9460 N. Sommerville Drive

The meeting room is accessible to the physically disabled, and the services of a translator can be made available. Requests for additional accommodations for the disabled, signers, assistive listening devices, or translators should be made one week prior to the meeting. Please call City Clerk's Office at 498-1321

The City Council welcomes you to this meeting.